
From: Stan Murphy
Sent: Saturday, September 2, 2017 11:56:56 AM (UTC-05:00) Eastern Time (US & Canada)
To: Michael Cantor; blengua@yahoo.com
Cc: David N. Ventker; Marissa M. Henderson; Jeanne E. Noonan; Richard Graf; Matt Vilbas
Subject: RE: Sequoia - Cable Modem Issue

Very sorry. Becky is not available this weekend and is consulting with me concerning further involvement with *Sequoia*.

Despite her best efforts not to be involved in the FE/CMR litigation, she has been threatened with a lawsuit and has just incurred over \$4,000.00 in legal expenses responding to a set of subpoenae served by FE's attorneys who have refused to pay even the actual expense associated with making several hundred pages of copies. This dispute is costing her dearly and sees no advantage in further involvement. In fact, further involvement is jeopardizing her relationship with a paying tenant.

Neither she nor I are working this weekend and she would appreciate being left alone over the holiday. It would help her if FE and/or its attorneys advise me whether they are agreeable to the following proposal:

Deagle's will consent to continuation of the cable modem at FE's sole expense provided that

1. FE Partners and any party claiming through that firm (to include the other plaintiff in pending litigation) sign a release of all claims against Deagle's Marine Railway, Inc., Captain Deagle's Estate and Ms. Lengua individually.
2. FE Partners reimburses legal bills incurred responding to the recently served subpoenae. I have advised her that it would be reasonable for her to absorb \$500 of that expense and to limit a reimbursement request the excess of that amount, which is approximately \$3,800.
3. CMR consents to the modem, which I believe I can guarantee based upon discussion with CMR's counsel.
4. As early as next week, Deagle's may need to limit access to the CMR yard through the Deagle property due to lease terms now being negotiated. Among other things, these terms (that have been agreed to for some time) require strict neutrality in the FE/CMR litigation.

We should have further word for everyone next week.

Thanks.

Stan Murphy

From: Michael Cantor [mailto:mcantor@equatorcapital.com]

Sent: Saturday, September 02, 2017 10:43 AM

To: blengua@yahoo.com

Cc: Stan Murphy <esmurphy@DSDLAW.COM>; David N. Ventker <dventker@ventkerlaw.com>; Marissa M. Henderson <mhenderson@ventkerlaw.com>; Jeanne E. Noonan <jnoonan@ventkerlaw.com>; Richard Graf <rgraf@equatorcapital.com>; Matt Vilbas <mvilbas@spmarinemanagement.com>

Subject: Re: Sequioa - Cable Modem Issue

Hi Becky – Matt is now on the road driving to Deltaville. He estimates that he will be on site by 12:30, plans to spend the entire day there working on Sequioa and will try calling you on your cell phone.

We were very appreciative that your father allowed Matt to install the cable modem in his office. The Wifi internet based video system is higher quality than our cellular based system. Over the last two years, it has made Matt's job of monitoring the Sequioa much easier and the Sequioa much safer. We hope that Stan will permit you to let Matt reboot the cable modem today and/or explain to us what he is concerned about and what has changed since your father generously granted Matt permission to place it in his office.

All the best,

Mike

From: "L. Cantor" <mcantor@equatorcapital.com>

Date: Friday, September 1, 2017 at 4:29 PM

To: "blengua@yahoo.com" <blengua@yahoo.com>

Cc: "E. Murphy" <esmurphy@dsdlaw.com>, "David N. Ventker" <dventker@ventkerlaw.com>, "Marissa M. Henderson" <mhenderson@ventkerlaw.com>, Jeanne Noonan <jnoonan@ventkerlaw.com>, Richard Graf <rgraf@equatorcapital.com>, Matt Vilbas <mvilbas@spmarinemanagement.com>

Subject: Re: Sequioa - Cable Modem Issue

Hi Becky,

As you can see below, both FE Partners' general counsel and our VA counsel now have authorized Stan to e-mail/communicate with me directly regarding the cable modem issue. I hope this will reduce your and my legal fees, be more convenient for you and Stan, and make the logistics easier for Matt.

Have a nice holiday weekend,

Best,

Mike

From: "David N. Ventker" <dventker@ventkerlaw.com>

Date: Friday, September 1, 2017 at 4:11 PM

To: Richard Graf <rgraf@equatorcapital.com>, "E. Murphy" <esmurphy@dsdlaw.com>, "L. Cantor" <mcantor@equatorcapital.com>

Cc: "Marissa M. Henderson" <mhenderson@ventkerlaw.com>, Jeanne Noonan <jnoonan@ventkerlaw.com>, Matt Vilbas <mvilbas@spmarinemanagement.com>

Subject: RE: Sequioa - Cable Modem Issue

Stan,

As Richard says, you are perfectly free to discuss the modem issues, etc. with Mr. Cantor – we have no desire to charge our client for this kind of thing, and we do not believe it is a “substantive issue.”

Best Regards,

Dave Ventker

Ventker Henderson, PLLC
direct: 757.625.1476
cell: 757.560.5054



From: Richard Graf [<mailto:rgraf@equatorcapital.com>]
Sent: Friday, September 1, 2017 4:08 PM
To: Stan Murphy <esmurphy@DSDLAW.COM>; Michael Cantor <mcantor@equatorcapital.com>;
Cc: David N. Ventker <dventker@ventkerlaw.com>; Marissa M. Henderson <mhenderson@ventkerlaw.com>;
Jeanne E. Noonan <jnoonan@ventkerlaw.com>; Matt Vilbas <mvilbas@spmarinemanagement.com>
Subject: RE: Sequioa - Cable Modem Issue

Stan -

You are hereby authorized to communicate with Mike and Matt directly on the issue of the cable modem without involvement of any of FE Partners' attorneys.

Richard

From: Stan Murphy [<mailto:esmurphy@DSDLAW.COM>]
Sent: Friday, September 01, 2017 4:02 PM
To: Michael Cantor <mcantor@equatorcapital.com>; blengua@yahoo.com
Cc: David N. Ventker <dventker@ventkerlaw.com>; Marissa M. Henderson <mhenderson@ventkerlaw.com>;
Jeanne Noonan <jnoonan@ventkerlaw.com>; Matt Vilbas <mvilbas@spmarinemanagement.com>; Richard Graf
<rgraf@equatorcapital.com>
Subject: RE: Sequioa - Cable Modem Issue

Sorry, Mike. I cannot communicate directly with you concerning a substantive matter in this case. Please have David call me.

From: Michael Cantor [<mailto:mcantor@equatorcapital.com>]
Sent: Friday, September 01, 2017 9:59 AM
To: blengua@yahoo.com
Cc: Stan Murphy <esmurphy@DSDLAW.COM>; David N. Ventker <dventker@ventkerlaw.com>; Marissa M. Henderson <mhenderson@ventkerlaw.com>; Jeanne Noonan <jnoonan@ventkerlaw.com>; Matt Vilbas <mvilbas@spmarinemanagement.com>; Richard Graf <rgraf@equatorcapital.com>
Subject: Sequioa - Cable Modem Issue

Dear Becky,

I first want to offer my sincere condolences for the loss of your father last May. I never met Captain Deagle but the Sequioa's captain, Matt Vilbas, speaks of him often and very fondly.

Matt has told me that your father worried about the Sequioa and gave him sage advice to help ensure its safety and security. In this regard, Captain Deagle also kindly allowed Matt to store fire extinguishers in the shed next to his office, run a small electrical line to power Sequioa's security/fire system (avoids risk of fire from using the yacht's own electrical system) and install a cable modem in his office to provide broadband Wifi coverage for one of the two video security systems protecting the Sequioa.

It is my understanding that Matt called you earlier this week for permission to access your father's office and reboot the cable modem which had stopped functioning. You told Matt that your attorney, Stan Murphy, had instructed you to no longer discuss the Sequoia with Matt and you therefore referred Matt to Stan. Unfortunately, Stan also declined to discuss rebooting the cable modem and stated that he would only communicate with Sequoia's attorneys. In hope of avoiding the need for our attorneys to bill us for a conference call regarding the cable modem, I have copied Stan and my legal team at Ventker Henderson on this e-mail.

Stan - Will you please allow Becky to give Matt access to the office on Monday (September 4th) so that he can reboot the cable modem?

We have been paying MetroCast for the cable modem internet service since June 2015 and until earlier this week, it has operated for over two years without an outage. I am, therefore, hopeful that Monday will be the only time we will need such access to Captain Deagle's office.

With kind kind regards,

Mike

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